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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

AMERICAN CONTRACTORS
INDEMNITY COMPANY,

Plaintiff,

v.

JENNIFER SAILSBERY, et al.,

Defendants.

Case No. 2:19-cv-00148-JAD-BNW

ORDER

Presently before the court is attorney Michael D. Rawlins' Motion to Withdraw as Counsel for Jennifer Sailsbery, Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the Sailsbery Asset Protection Trust (ECF No. 29). The motion is unopposed.

Mr. Rawlins moves to withdraw as counsel for Jennifer Sailsbery, Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the Sailsbery Asset Protection Trust for several reasons. First, the defendants have requested that Mr. Rawlins withdraw from the representation. Second, Sailsbery filed her own opposition to a pending motion without Mr. Rawlins' knowledge. Third, the defendants have not fulfilled their financial obligations to Mr. Rawlins, resulting in an unreasonable financial burden on his law firm. The motion includes a certificate of service indicating the motion was served on Sailsbery by United States mail on the date the motion was filed.

Having reviewed and considered the motion, and good cause appearing, the court will grant the motion to withdraw. By December 2, 2019, Jennifer Sailsbery must file a notice with the court indicating whether she will represent herself or retain new counsel.

But Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the Sailsbery Asset Protection Trust are advised that they cannot represent themselves and must be represented by an attorney in this case. *See In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir.

1 1994) (stating that “[c]orporations and other unincorporated associations must appear in court
2 through an attorney”); *Alpha Land Co. v. Little*, 238 F.R.D. 497, 502 (E.D. Cal. 2006) (stating
3 that a trust must be represented by an attorney and that a pro se non-attorney trustee cannot
4 represent another entity, i.e., a trust, in federal court). Thus, by December 2, 2019, Silver State
5 Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the Sailsbery Asset
6 Protection Trust must retain a new attorney and that attorney must file a notice of appearance in
7 this case. Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the
8 Sailsbery Asset Protection Trust are advised that failure to retain an attorney may result in the
9 imposition of sanctions under Local Rule IA 11-8 or other applicable authority.

10 IT IS THEREFORE ORDERED that attorney Michael D. Rawlins’ Motion to Withdraw
11 as Counsel for Jennifer Sailsbery, Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue
12 Sailsbery, Trustee of the Sailsbery Asset Protection Trust (ECF No. 29) is GRANTED.

13 IT IS FURTHER ORDERED that Mr. Rawlins must serve a copy of this order on Jennifer
14 Sailsbery, Silver State Mechanical, Inc., Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the
15 Sailsbery Asset Protection Trust and must file proof of that service by November 15, 2019.

16 IT IS FURTHER ORDERED that by December 2, 2019, Jennifer Sailsbery must file a
17 notice indicating whether she will represent herself or retain a new attorney in this case.

18 IT IS FURTHER ORDERED that by December 2, 2019, Silver State Mechanical, Inc.,
19 Plumbrix, Inc., and Jennifer Sue Sailsbery, Trustee of the Sailsbery Asset Protection Trust must
20 retain a new attorney and that attorney must file a notice of appearance in this case.

21 IT IS FURTHER ORDERED that the clerk of court must update the addresses on the
22 docket sheet for Jennifer Sailsbery as follows:

23 2694 Kolob Dr.
24 St. George, Utah 84790

25 DATED: November 13, 2019

26 
27 BREND A WEKSLER
28 UNITED STATES MAGISTRATE JUDGE